UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/609,001	06/28/2000	LISA HEILBRON	1018.091US1	1308

7590 12/30/2004	**EXAMINER**
LAW OFFICES OF ALBERT S. MICHALIK PLLC	DUONG, THOMAS
704 - 228TH AVENUE NE	

	ART UNIT	PAPER NUMBER
SUITE 193	2145	

SAMMAMISH, WA 98074

DATE MAILED: 12/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/609,001	HEILBRON ET AL.
	Examiner	**Art Unit**	
	Thomas Duong	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 July 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-25</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-25</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This office action is in response to the Request for Continued Examination filed on

November 1, 2004 regarding the amendment filed on July 22, 2004. The amendment

filed on July 22, 2004 has been entered and made of record. *Claims 1-25* are presented

for further consideration and examination.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.

Claims 1 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite because of the following informalities:

- Please correct the grammatical error *"page_including"* in *claims 1 and 13.*

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

4.   _Claims 1-25_ are rejected under 35 U.S.C. 102(e) as being anticipated by Brown et al.
(US006405192B1).

5.   With regard to _claims 1, 13, 22 and 25_, Brown reference discloses,

*   _fetching a current web page, the current web page including one or more links,_
    each link pointing to a web page; (Brown, col.2, lines 15-17; col.6, line 20; col.6,
    line 66 – col.7, line 2; module 610, fig.6; module 720, fig.7A)
    Brown teaches of retrieving a web page for presentation to a user. While the
    web page is being presented, the web page is parsed for a set of links to a set of
    linked web pages based on criteria set by the user and those links are retrieved
    from their respective locations.

*   _fetching information regarding the web page to which each link points, wherein_
    the information is stored separately from the current web page; (Brown, col.2,
    lines 15-17; col.6, lines 21-27)
    Brown teaches of retrieving a web page for presentation to a user. While the
    web page is being presented, the web page is parsed for a set of links to a set of
    linked web pages based on criteria set by the user and those links are retrieved
    from their respective locations.

*   _assembling relational information based on the fetched information the relational_
    information including at least one relationship between the fetched information
    and a user of the client-side computer; (Brown, col.2, lines 15-17; col.6, lines 21-
    27; col.7, lines 3-16)
    Brown teaches of retrieving a web page for presentation to a user. While the
    web page is being presented, the web page is parsed for a set of links to a set of

linked web pages based on criteria set by the user and those links are retrieved

from their respective locations. Hence, it can be interpreted that the web pages,

which satisfy the user criteria, are related to the user through the configured

criteria defined by the user.

- *displaying the current web page; and,* (Brown, col.2, lines 15-17; col.6, line 20;

  col.6, line 66 – col.7, line 2; module 610, fig.6; module 720, fig.7A)

  Brown teaches of retrieving a web page for presentation to a user. While the

  web page is being presented, the web page is parsed for a set of links to a set of

  linked web pages based on criteria set by the user and those links are retrieved

  from their respective locations.

- *displaying an informational region, in response to a cursor hovering over a*

  particular link of the one or more links, the region including the information

  previously fetched regarding the web page to which the link points and the

  relational information previously assembled. (Brown, col.9, lines 46-59)

  Brown suggests of opening another window (pop-up) and displaying the desired

  information within the new window to the user as the pointer passes over a link.

  The desired information is related to the user through the configured criteria

  defined by the user.

6.   With regard to *claims 2-4, 14 and 23*, Brown reference discloses,

- *wherein displaying the informational region comprises displaying the*

  informational region by the link. (Brown, col.9, lines 46-59)

  Brown suggests of opening another window (pop-up) and displaying the desired

  information within the new window to the user as the pointer passes over a link.

The desired information is related to the user through the configured criteria defined by the user.

- *wherein the method is such that a user is able to retrieve the information regarding the web page without selecting the link and committing to downloading the web page.* (Brown, col.9, lines 46-59)

Brown suggests of opening another window (pop-up) and displaying the desired information within the new window to the user as the pointer passes over a link. The desired information is related to the user through the configured criteria defined by the user. Furthermore, *claim 3* is contradicting with the independent *claim 1* because *claim 1* calls for *"fetching information regarding the web page to which each link points"* and *"the region including the information previously fetched regarding the web page to which the link points and the relational information previously assembled"* whereas claim 3 specifies that the *"information regarding the web page [is retrieved] without selecting the link and committing to downloading the web page"*.

- *wherein the informational region comprises a text box apparently floating near the link.* (Brown, col.9, lines 46-59)

Brown suggests of opening another window (pop-up) and displaying the desired information within the new window to the user as the pointer passes over a link. The desired information is related to the user through the configured criteria defined by the user.

7.   With regard to *claims 5-12*, Brown reference discloses,

- *wherein the information regarding the web page includes at least one of:*
  keywords of the web page; paragraph headings of the web page; links on the
  web page to other web pages. (Brown, col.2, lines 15-21; col.6, lines 20-27;
  col.9, lines 2-11)

  Brown teaches of positive preferences (or criteria) that may relate to content, key
  words, date of creation, author, etc. The web pages associated with the links
  from the first web page are parsed for these criteria and the results are presented
  to the user.

- *wherein the information regarding the web page includes at least information*
  regarding whether the link is broken. (Brown, col.8, lines 22-37)

- *further comprising disabling the link in response to determining that the web page*
  includes content that a user is not allowed to view. (Brown, col.8, lines 48-54)

8.   With regard to *claims 15-21 and 24*, Brown reference discloses,

- *wherein fetching the information regarding the web page to which each link*
  points comprises retrieving the information from a server on which the
  information is stored. (Brown, col.2, lines 15-17; col.6, lines 21-27)

  Brown teaches of parsing the retrieved web page for a set of links to other web
  pages and retrieving those web pages from their respective locations.

- *wherein fetching the information regarding the web page to which each link*
  points comprises retrieving the information from a local cache in which the
  information is stored. (Brown, col.11, lines 45-55)

  Brown teaches of retrieving the information from the cache.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

10.   *Claims 1-25* are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown

(US006405192B1) and in view of Becker et al. (US006834372B1).

11.   With regard to *claims 1, 13, 22 and 25*, Brown reference discloses,

- *fetching a current web page, the current web page including one or more links,*

  each link pointing to a web page; (Brown, col.2, lines 15-17; col.6, line 20; col.6,

  line 66 – col.7, line 2; module 610, fig.6; module 720, fig.7A)

  Brown teaches of retrieving a web page for presentation to a user. While the

  web page is being presented, the web page is parsed for a set of links to a set of

  linked web pages based on criteria set by the user and those links are retrieved

  from their respective locations.

- *fetching information regarding the web page to which each link points, wherein*

  the information is stored separately from the current web page; (Brown, col.2,

  lines 15-17; col.6, lines 21-27)

  Brown teaches of retrieving a web page for presentation to a user. While the

  web page is being presented, the web page is parsed for a set of links to a set of

  linked web pages based on criteria set by the user and those links are retrieved

  from their respective locations.

- *displaying the current web page; and,* (Brown, col.2, lines 15-17; col.6, line 20; col.6, line 66 – col.7, line 2; module 610, fig.6; module 720, fig.7A)

  Brown teaches of retrieving a web page for presentation to a user. While the web page is being presented, the web page is parsed for a set of links to a set of linked web pages based on criteria set by the user and those links are retrieved from their respective locations.

- *displaying an informational region, in response to a cursor hovering over a particular link of the one or more links, the region including the information previously fetched regarding the web page to which the link points and the relational information previously assembled.* (Brown, col.9, lines 46-59)

  Brown suggests of opening another window (pop-up) and displaying the desired information within the new window to the user as the pointer passes over a link. The desired information is related to the user through the configured criteria defined by the user.

Even though Brown implies the assembling of relational information that includes a relationship between the fetched information and a user of the client-side as the Examiner explained in the 35 U.S.C. 102(e) rejection above, the Examiner will present another reference, Becker (US006834372B1), that clearly teaches assembling of relational information that includes a relationship between the fetched information and a user of the client-side.

Becker teaches,

- *assembling relational information based on the fetched information the relational information including at least one relationship between the fetched information*

and a user of the client-side computer; (Becker, col.1, line 66 – col.2, line 20;

col.2, lines 37-42, lines 56-67)

Becker teaches of *"presenting information representing various characteristics*

from past visits to the hyperlinked web site" (col.2, lines 40-42) in response to the

user's *"placement of a cursor over a hyperlink"* (col. 2, line 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

the invention was made to combine the Becker reference with the Brown reference

to *"avoid the time consuming pitfalls of selecting certain hyperlinks"* (col.3, lines 12-

13) (i.e. links of expired web pages or undesirable characteristics) as pointed out by

Becker. This *"ultimately helps computer users improve their time efficiency while*

utilizing the Internet" (col.3, lines 13-15) as well as reduce the overall Internet traffic

by avoiding undesirable links.

12.   With regard to *claims 2-4, 14 and 23*, Brown and Becker references disclose the

invention substantially as claimed,

See *claims 1, 13, 22 and 25* rejection as detailed above.

Furthermore, Brown reference discloses,

- *wherein displaying the informational region comprises displaying the*

  informational region by the link. (Brown, col.9, lines 46-59)

  Brown suggests of opening another window (pop-up) and displaying the desired

  information within the new window to the user as the pointer passes over a link.

  The desired information is related to the user through the configured criteria

  defined by the user.

- *wherein the method is such that a user is able to retrieve the information regarding the web page without selecting the link and committing to downloading the web page.* (Brown, col.9, lines 46-59)

  Brown suggests of opening another window (pop-up) and displaying the desired information within the new window to the user as the pointer passes over a link. The desired information is related to the user through the configured criteria defined by the user. Furthermore, *claim 3* is contradicting with the independent *claim 1* because *claim 1* calls for *"fetching information regarding the web page to which each link points"* and *"the region including the information previously fetched regarding the web page to which the link points and the relational information previously assembled"* whereas claim 3 specifies that the *"information regarding the web page [is retrieved] without selecting the link and committing to downloading the web page".*

- *wherein the informational region comprises a text box apparently floating near the link.* (Brown, col.9, lines 46-59)

  Brown suggests of opening another window (pop-up) and displaying the desired information within the new window to the user as the pointer passes over a link. The desired information is related to the user through the configured criteria defined by the user.

13.   With regard to *claims 5-12*, Brown and Becker references disclose the invention substantially as claimed,

   See *claims 1, 13, 22 and 25* rejection as detailed above.

   Furthermore, Brown reference discloses,

- *wherein the information regarding the web page includes at least one of:*

  keywords of the web page; paragraph headings of the web page; links on the

  web page to other web pages. (Brown, col.2, lines 15-21; col.6, lines 20-27;

  col.9, lines 2-11)

  Brown teaches of positive preferences (or criteria) that may relate to content, key

  words, date of creation, author, etc. The web pages associated with the links

  from the first web page are parsed for these criteria and the results are presented

  to the user.

- *wherein the information regarding the web page includes at least information*

  regarding whether the link is broken. (Brown, col.8, lines 22-37)

- *further comprising disabling the link in response to determining that the web page*

  includes content that a user is not allowed to view. (Brown, col.8, lines 48-54)

14.   With regard to *claims 15-21 and 24*, Brown and Becker references disclose the invention

substantially as claimed,

  See *claims 1, 13, 22 and 25* rejection as detailed above.

  Furthermore, Brown reference discloses,

- *wherein fetching the information regarding the web page to which each link*

  points comprises retrieving the information from a server on which the

  information is stored. (Brown, col.2, lines 15-17; col.6, lines 21-27)

  Brown teaches of parsing the retrieved web page for a set of links to other web

  pages and retrieving those web pages from their respective locations.

- *wherein fetching the information regarding the web page to which each link*

  points comprises retrieving the information from a local cache in which the

  information is stored. (Brown, col.11, lines 45-55)

  Brown teaches of retrieving the information from the cache.

Conclusion

15.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure:

- Nakayama et al. (US006782423B1)

- Berstis (US006182122B1)

- Horvitz (US006085226A)

- Horvitz (US006067565A)

- Horvitz (US006182133B1)

- Hennings et al. (US006763496B1)

- Judson (US005572643A)

16.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Thomas Duong whose telephone number is 571/272-3911. The

examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the

examiner by telephone are unsuccessful, the examiner's supervisor, Jack B Harvey can

be reached on 571/272-3896. The fax phone numbers for the organization where this

application or proceeding is assigned are 703/872-9306 for regular communications and

703/872-9306 for After Final communications. Any inquiry of a general nature or relating

to the status of this application or proceeding should be directed to the receptionist

whose telephone number is 571/272-2100.

Thomas Duong (AU2145)

December 26, 2004

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER